

**FILED**

MAR 13 2008

RICHARD

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**DAVID MONTIEL CRUZ,**

Petitioner,

v.

**RICHARD SUBIO, Warden,**

Respondent.

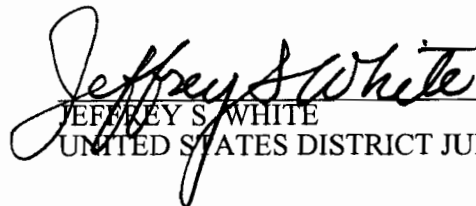
C 07-4329 JSW (PR)

**[PROPOSED] ORDER GRANTING  
FIRST EXTENSION OF TIME TO  
FILE ANSWER**

GOOD CAUSE APPEARING, respondent is granted an additional sixty (60) days to and including May 7, 2008, to file an answer to the petition for writ of habeas corpus. Petitioner may file a reply within (30) days after the answer has been filed and served.

DATED:

~~MAR 13 2008~~

  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

DAVID MONTIEL CRUZ,  
Plaintiff,

Case Number: CV07-04329 JSW

**CERTIFICATE OF SERVICE**

v.

SECY AND WARDENS CDCR et al,  
Defendant.

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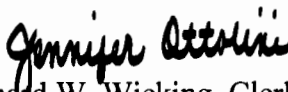
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 13, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

David Montiel Cruz  
V65475  
Mule Creek State Prison  
P.O. Box 409099  
Ione, CA 95640

Joan Killeen  
Office of the Attorney General  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102

Dated: March 13, 2008

  
Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk